

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

KIMBERLEY SHAEF,)	
)	
Plaintiff,)	
vs.)	NO. CIV-15-1048-HE
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

ORDER

Plaintiff Kimberley Shaef filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying her application for supplemental security income benefits and disabled widows benefits. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Gary M. Purcell, who has recommended that the Commissioner’s decision be affirmed.

After plaintiff’s applications for benefits were denied initially and on reconsideration, plaintiff requested a hearing before an Administrative Law Judge (“ALJ”). Following a hearing, the ALJ issued a decision unfavorable to plaintiff on April 7, 2014. When the Appeals Council denied plaintiff’s request for review, the ALJ’s decision became the final decision of the Commissioner.

Despite having received an extension of time, plaintiff did not object to the magistrate judge’s Report and Recommendation. She thereby waived her right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th

Cir. 2010); *see* 28 U.S.C. §636(b)(1)(C).

Accordingly, the court **ADOPTS** Magistrate Judge Purcell's Report and Recommendation and **AFFIRMS** the Commissioner's decision.

IT IS SO ORDERED.

Dated this 12th day of September, 2016.


JOE HEATON
CHIEF U.S. DISTRICT JUDGE